

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST LITIGATION
(NO. II)**

**Case No. 3:23-MD-3071
MDL No. 3071**

**This Document Relates to:
ALL CASES**

Chief Judge Waverly D. Crenshaw, Jr.

**DECLARATION OF STEPHEN C. WHITTAKER IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS MULTIFAMILY PLAINTIFFS' FIRST AMENDED
CONSOLIDATED CLASS ACTION COMPLAINT**

I, Stephen C. Whittaker, declare as follows:

1. I am an associate in the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys representing Defendant RealPage, Inc. ("RealPage") in the above-captioned case. I submit this declaration in support of Defendants' Motion to Dismiss Multifamily Plaintiffs' First Amended Consolidated Class Action Complaint (the "Complaint") (ECF 314). The facts stated in this declaration are based on my personal knowledge, and if called upon as a witness, I would and could testify competently to them.

2. Attached as **Exhibit A** is a true and correct copy of the RealPage document "Frequently Asked Questions About Revenue Management Software," which is available on RealPage's website and is linked to and cited in Plaintiffs' Complaint. See Compl. ¶ 5 & n.6; ¶ 102 & n.51, ¶ 171 & n.104.

3. Attached as **Exhibit B** is a table listing each Defendant in Plaintiffs' Complaint, and the paragraphs within that pleading where each Defendant is referenced.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this declaration on July 7, 2023, at Huntington Beach, California.



Stephen C. Whittaker

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record registered on the CM/ECF system.

DATED this 7th day of July, 2023.

/s/ Jay Srinivasan

Jay Srinivasan